



American
Occupational Therapy
Association

What is happening in higher education?

Neil Harvison, PhD, OTR/L, FNAP, FAOTA
September 30, 2024

What Higher Ed Will Look Like in 10 Years

Fundamental change is coming quickly

FREE REPORT

The Chronicle | September 23, 2024

Higher education in the United States has reached a crossroads. Colleges buffeted by economic changes, political pressures, and dwindling public confidence must respond quickly while also playing the long game: They must plan now for future demographic shifts, rapid technological change, and an uncertain labor market. How will their decisions shape not only their own institutions but the entire higher-education ecosystem? What will it look like in 10 years?

ADVERTISEMENT



ROBERT FOSTER
CHERRY AWARD
FOR GREAT TEACHING™

**CALL FOR
NOMINATIONS**

2026 Cherry Award
Nomination Deadline:
Nov. 1, 2024

A graphic with a white background and a red top border and blue bottom border, both containing a row of white stars. The text "ELECTION MATTERS 2024" is centered in the white area. "ELECTION" and "MATTERS" are in blue, while "2024" is in red.

**ELECTION
MATTERS 2024**

**ELECTION
MATTERS 2024**



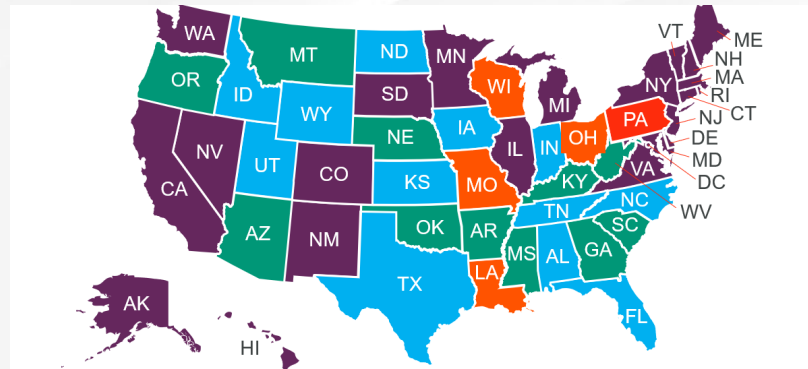
**ELECTION
MATTERS 2024**



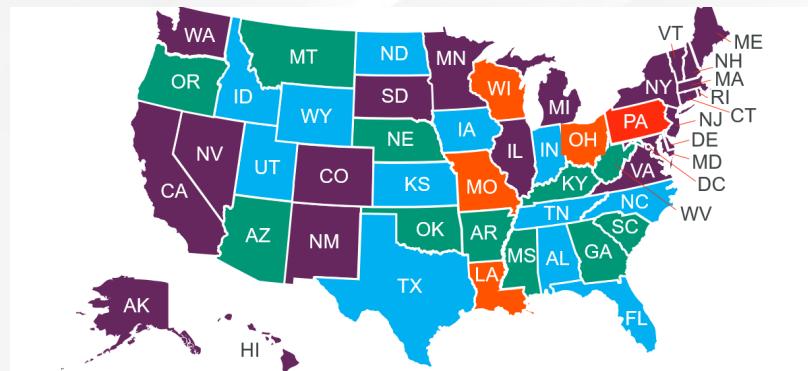
**ELECTION
MATTERS 2024**



ELECTION MATTERS 2024

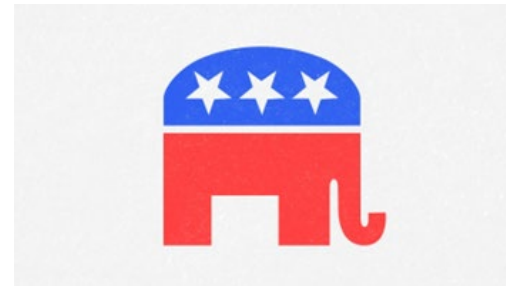


ELECTION MATTERS 2024

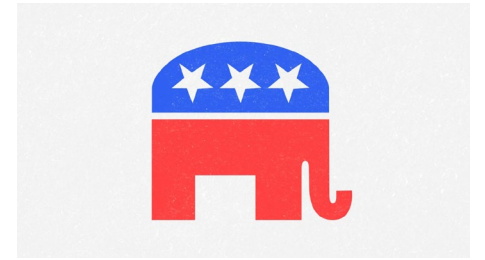




Presidential Campaign

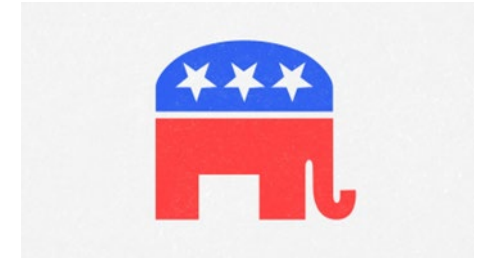


GOP Platform



- Eliminate the **Department of Education**
- Overhaul **accreditation**
- Lower **tuition costs**
- “Deport Pro-Hamas radicals and make **campuses safe and patriotic**”
- “Prosecute institutions that discriminate”...**admissions**
- Reopen rules related to **Title IX**.....due process

Project 2025



- Eliminate the federal **Department of Education**,
- Overhauling the **federal student-loan system: FAFSA**
- **Privatize** student lending
- **Eliminate:**
 - PLUS programs,
 - student-debt cancellation,
 - Public Service Loan Forgiveness program etc.
- Change how **higher-education data** are collected and used.

Democrat Platform



- Expand **college financial aid** – SAVE Plan
- Increase **Pell Grants**
- Cancel eligible **loan debts**
- Four-year college is not the only pathway:
 - Make **trade school and community college free.**
 - Expanding **job training partnerships**

Democrat Platform

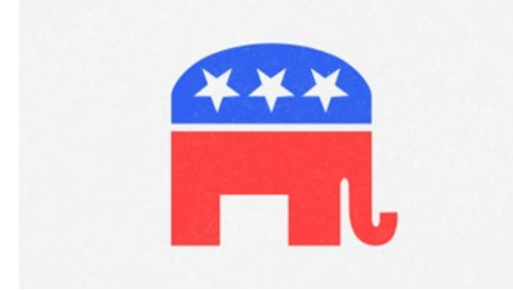
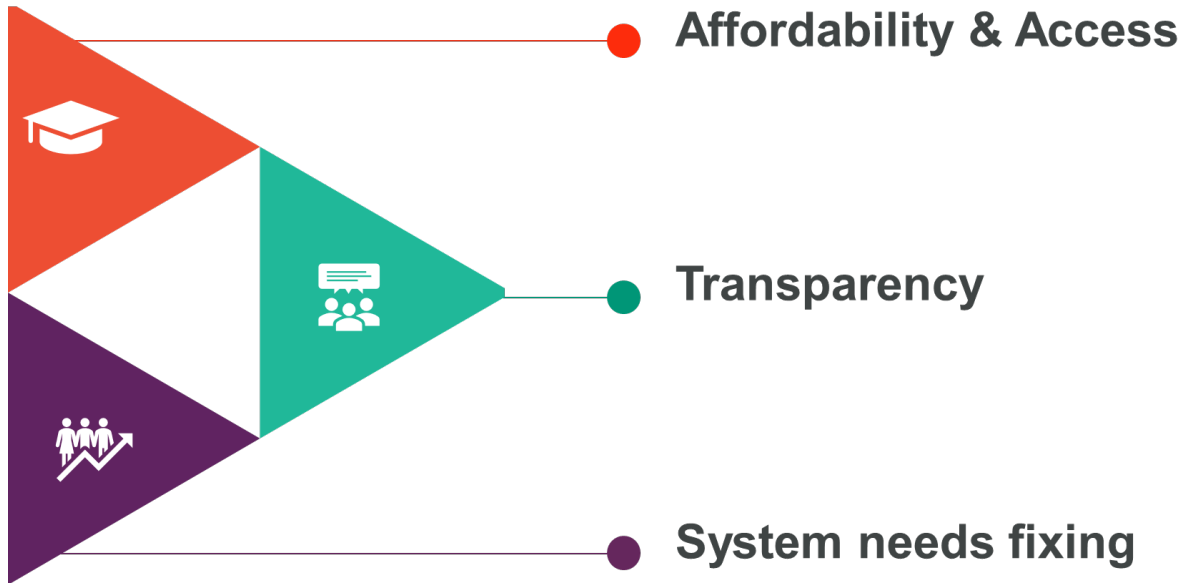


- Keep investing in partnerships with **HBCUs, MSIs, and Tribal Colleges and Universities**
- Subsidize tuition at all MSI's for low-income students.
- **Consumer protection**
- **Transparency** to consumers

Congress

House: Education and Workforce Committee

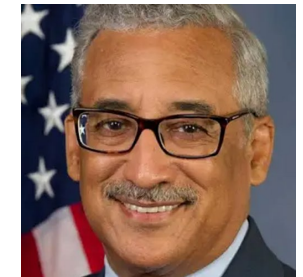
Bi-partisan Consensus



Foxx (R)

H.R. 6951, The College Cost Reduction Act.

- (1) Accountability & student success:
- (2) Transparency
- (3) Access & affordability



Scott (D)

Roadmap to College Student Success:

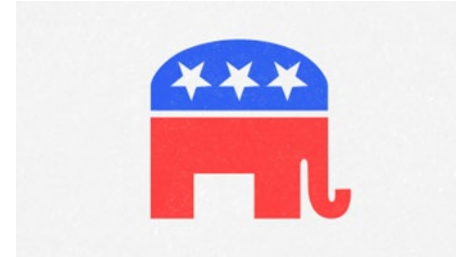
- (1) Affordability;
- (2) Access; &
- (3) Student Support

Senate: HELP- Health, Education Labor & Pensions Committee



Sanders (I)

- Free Community College and Tribal colleges for all
- Eliminate tuition and fees at public universities
- Cancellation of student debt
- Reduce tuition and fees for low-income students at private university
- Double funding for TRIO programs



Cassidy (R)

- Address universities that have used the availability of federal loans to artificially increase their prices
- Better information to choose the right school
- Simplifies the student loan
- Guide students against taking on debt to attend programs that do not translate to higher-paying job opportunities

Department of Education



June 28, 2024

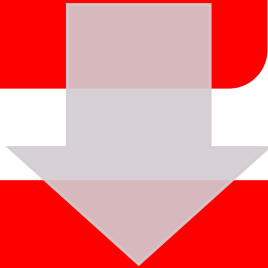
The Supreme Court in 6-3 decision struck down a 40-year-old legal precedent known as the “**Chevron deference**”.

Chevron Deference: Required judges to defer to federal agencies’ “reasonable” interpretations of federal laws when considering legal challenges.

June 28, 2024

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A shift that will significantly limit the executive branch’s power to make regulations—including higher education regulation.


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Higher education regulation is based in the HEA that was last reauthorized in 2008. Scholars expect higher ed regulation to be greatly impacted.

Negotiated Rule Making (“neg-reg”)

Neg-reg is the process used by the Department of Education to develop regulations that enable the Department to meet the requires laid down on the Higher Education Act.



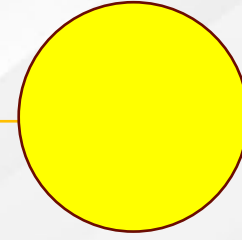
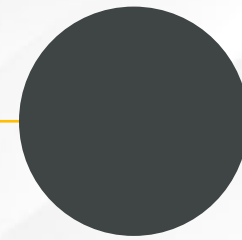
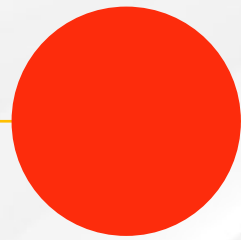
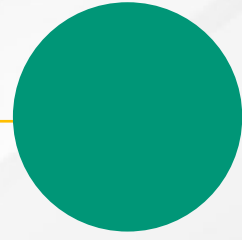
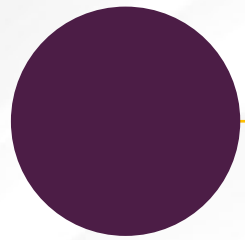
Photo by [Sebastian Herrmann](#) on [Unsplash](#)

Negotiators selected

Nominated by the public
and selected by the
Department

Consensus?

NO dissent by any
member of the
negotiating committee



Issues selected

Three sources:
newly enacted laws, **the
Department**, and the
public.

Process

3 meetings – during
which draft regulations
are developed based on
the issues

Regulation

Consensus- Department
uses that regulatory
language in its NPRM.
**NO consensus -
Department determines
whether to proceed with
regulations.**

Negotiated Rulemaking for Higher Education 2023-2024



Student Loan Debt Relief

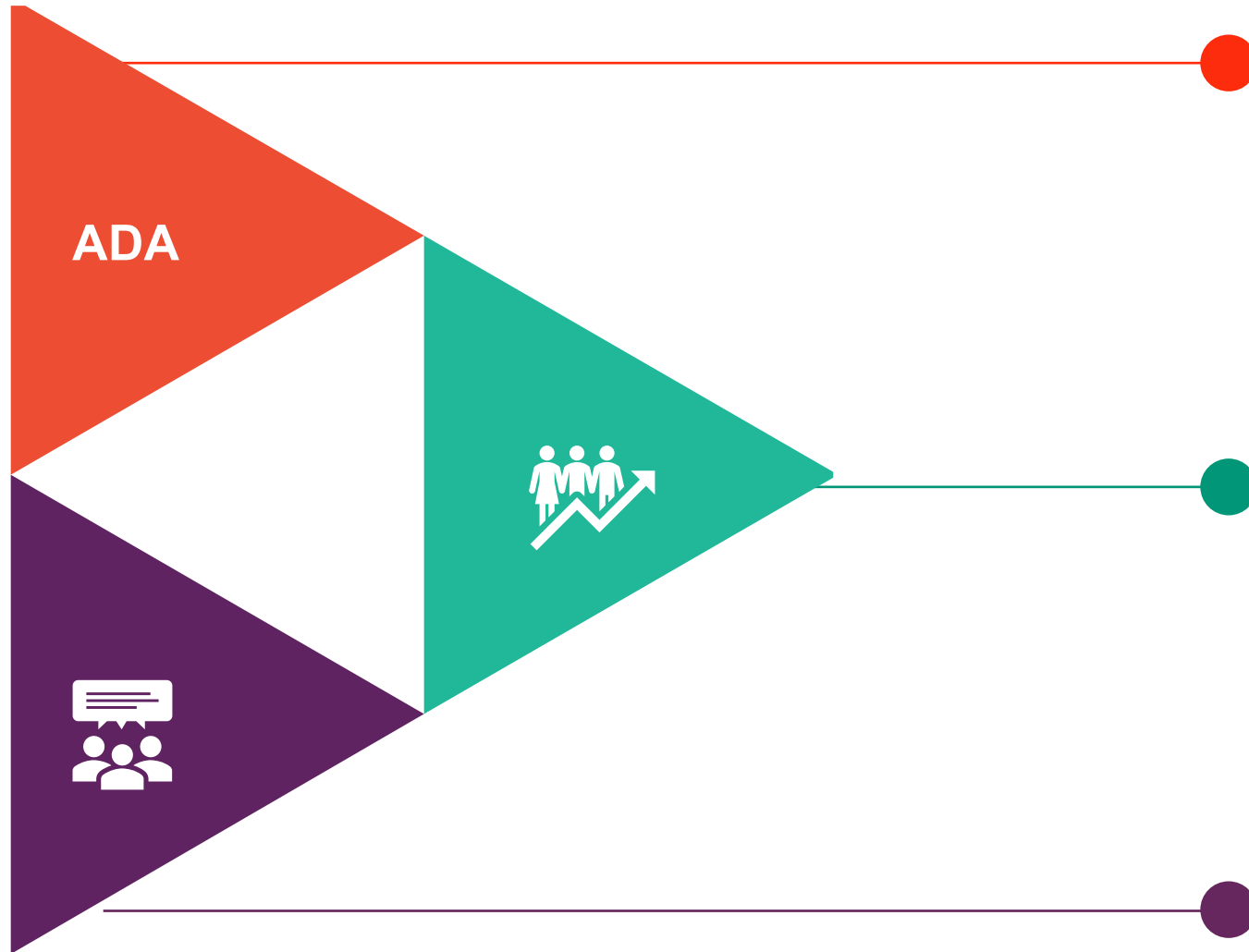
Program Integrity and Institutional Quality

TRIO Subcommittee

Program Integrity and Institutional Quality:

- Distance Education
- Return of Title IV funds
- State Authorization
- Cash management
- Accreditation
- TRIO - support students from disadvantaged background.

New Regulations for 2024



ADA



Digital Accessibility Requirements

Must update digital materials for accessibility in accordance with a new Department of Justice regulation. June '24

Federal Overtime Salary Threshold Increase

DOL overtime rule will increase the salary threshold for many employees to be eligible for overtime. July '24

Student Loan Repayment Regulations

July'24 – on hold due to legal challenges. Plan creates lower payments and quicker path to repayment.

Regulation: Financial Responsibility, Administrative Capability, Certification Procedures, and Ability to Benefit

Effective: July 1 - a few portions have been delayed until Jan, 2025

Financial Responsibility – NO consensus

- *According to the Higher Education Act (HEA), institutions must be financially responsible to participate in Title IV, HEA programs.*
- New rules include:
 - **Private Institutions-** Financial triggers for at-risk universities and colleges
 - **Public Institutions-** documentation that they are backed by the full faith and credit of their appropriate government entity
 - **Change in ownership-** audited financial statements

Administrative Capability – NO Consensus

- *HEA: Institutions must be administratively capable of operating programs as a requirement to be eligible to participate in Title IV, HEA programs.*
- New Rules include:
 - provide adequate **financial aid counseling** & career services;
 - provide accessible clinical or externship opportunities that are related to, and required by, the program and that the students are enrolled in within 45 days of completion of other required coursework;
 - ensure that at **least half of the Title IV revenue received by an institution is not from programs that fail the GE rule** and that at least half of the full-time students that are receiving Title IV funds are not enrolled in failing GE programs

668.16(r). Requires institutions to provide students with geographically accessible clinical or externship opportunities related to and required for completion of the credential or licensure in a recognized occupation, within 45 days of the completion of other required coursework.

Note: Does not apply to post-graduate requirements such as medical residencies— but does apply to situations such as FW Level II that are completed as part of the degree program.

45 Days time frame:

- Department has declined requests to define the requirements but the response to comment letters provides some insight...
- Department commented that **“this does not mean the experiences must all start exactly within 45 days”**.
 - Department will consider whether there is a “**pattern**” where these experiences start well outside reasonable periods.
 - If a “**pattern**” of delays indicate that the institution does not have sufficient spots for clinical or externships and thus should result in a finding of a lack of administrative capability.
 - “**Pattern**” of delays risks the ability of students to complete their program and begin entering the workforce.

Geographically accessible:

- Department declined to define “geographically accessible”
- “... recognizing the need for flexibility in how that is considered based upon the **credential level, type, and the physical location of the institution is appropriate**”.
 - A clinical experience tied to a highly specialized field as part of a graduate program may see a geographically accessible option as one that is in another part of the country.
 - Rural versus urban distances.
 - A *commuting zone* concept is likely to be a better fit for certificate/associate’s programs where students are more likely to be staying close to where they live.
 - Student preference.

Regulation: Financial Value Transparency and Gainful Employment

Effective: July 1

While ED delayed the reporting **deadline until Oct. 1**, colleges and universities will need to implement the remainder of the regulations regarding financial value transparency, gainful employment, and a range of other topics by July 1.

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September 16, 2024

Education Department Delays Gainful Reporting Requirements Again

.....push back the deadline to submit that information **from Oct. 1 to Jan. 15, 2025.**

There are two components of the new GE regulations:

Accountability for GE programs:

- Programs providing training for **gainful employment** in a recognized occupation or profession.
- GE programs include most **degree programs at for-profit institutions** and some non-degree programs at public and nonprofit institutions.
- Accountability **D/E metric** For a program to pass, **debt payments must be no more than 8 percent of annual earnings or 20 percent of discretionary earnings** (defined as annual earnings minus 150 percent of the federal poverty guideline for a single individual, which is about \$21,870 in 2023).

What is new....

Financial Value Transparency (FVT) provisions:

- Intended to increase the **quantity and quality of information** that students will have before enrollment.
- Require institutions to **report data on the costs, sources of financial aid, and outcomes of students enrolled in all title IV, HEA (Title IV) eligible programs**
- Apply to all programs eligible for financial aid from the Department but **do not affect program eligibility** for non-GE programs.

What is new....

- **“Qualifying graduate program”**graduate program in which students must complete required postgraduation training to enter certain occupational fields, where at least half of the program's graduates obtain licensure in a State where those training requirements apply, and that meets necessary accreditation requirements for licensure.

What is new....

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Financial Value Transparency (FVT) provisions:

1. debt-to-earnings measure:

- Two D/E rates : (1) based on annual earnings; (2) based on discretionary income.

2. earnings premium measure:

- extent to which a graduate of a program out-earns the median annual earnings of individuals with only a high school diploma or equivalent in the same State the program is located, or nationally, if 50 percent or more of the students in the program were located outside that State.

3. Regulations also establish performance benchmarks:

- to determine whether the program may have adverse financial consequences to students.

4. Require **prospective students to acknowledge having seen the information** on the Department's website if **program has failed the D/E rates** before entering an enrolling.

Regulation: Title IX

Effective: August 1

The new regulations introduce significant shifts in how institutions address sexual harassment and assault allegations while expanding protections for LGBTQ+ and pregnant students.

A variety of **federal district court rulings, however, have blocked the rule** from taking effect at many institutions, at least for now.

Most of the legal challenges focus on how colleges respond to reports of sexual misconduct and on provisions that expand protections to LGBTQ+ students.

TITLE IX Final Rule: OUTLINE OF KEY PROVISIONS

- Scope & jurisdiction changes
- Protections for transgender students
- Updated reporting obligations
- Changes to investigation and grievance procedures
- New pregnancy-related provisions
- Training requirements
- Expanded Title IX coordinator responsibilities

Pregnancy Provisions

- Bans discrimination on the basis of past, potential, or **current pregnancy, childbirth, termination of pregnancy (abortion, miscarriage, or stillbirth), lactation, recovery, and all related medical conditions.**

Pregnancy Provisions

- Institutions are only allowed to request medical clearance **when all students participating in the class/activity (lab & FW) are required to provide certification**, the certification is necessary, and the information isn't used to discriminate.

Pregnancy Provisions

- Requires **faculty and staff to inform students of the Title IX Coordinator's** contact information and that the Coordinator can help them access leave and accommodations, if needed.

Pregnancy Provisions

- The **most substantial updates** to the Regulations are in 34 CFR 106.40(b) regarding **reasonable modifications**. Under the regulations, a recipient must make reasonable modifications to the education program or activity based on the student's "individualized needs." To determine reasonableness of the modification, the Department noted that "the recipient must consult with the student."

Pregnancy Provisions

- Department also included a provision stating that recipients “must not require supporting documentation under paragraphs (b)(3)(ii)-(v) unless the documentation is necessary and reasonable for the recipient to determine the reasonable modifications.

FinallyWhat happened to accreditation?

The negotiators also considered regulations on accreditation, State authorization, and cash management. USDE now states that the NPRM on these issues will be **released in 2025**.

Because these rules will be delayed past November 1, 2024, these potential rules may not take effect until July 1, 2026.

James Kvaal, U.S. Under Secretary of Education, wrote in a blog post, *“Proposed regulations related to State authorization, including State authorization reciprocity agreements, cash management, and accreditation will be published by next year.”*

States

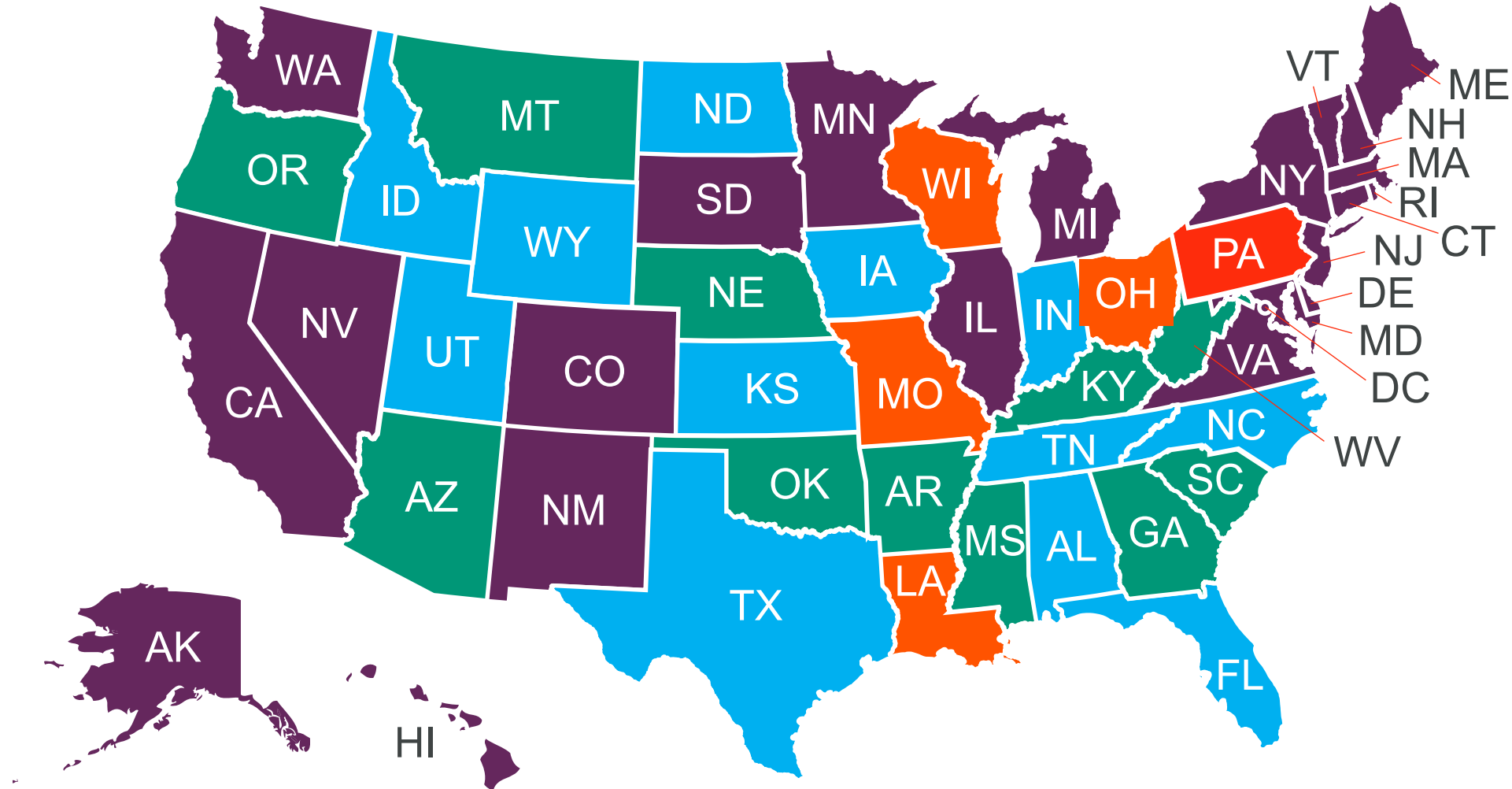
Anti- DEI Legislation

Purple= no bills.

Orange= introduced

Blue= signed into law

Green= tabled, failed or vetoed



Anti- DEI Legislation

100

Introduced or
passed the
House

86 introduced and 14
have finale legislative
approval.

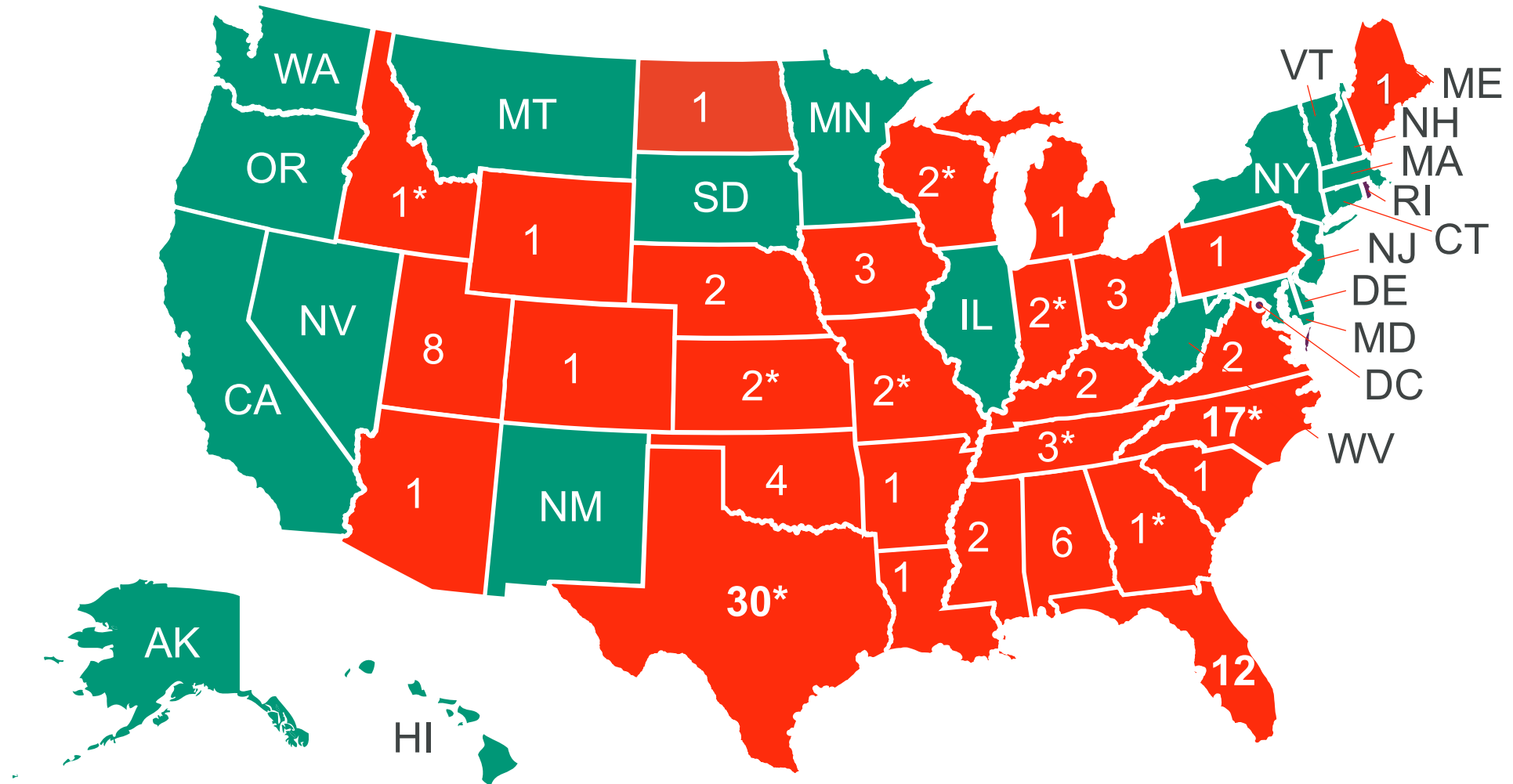
14

Signed into Law

54

Tabled, failed to
pass or vetoed

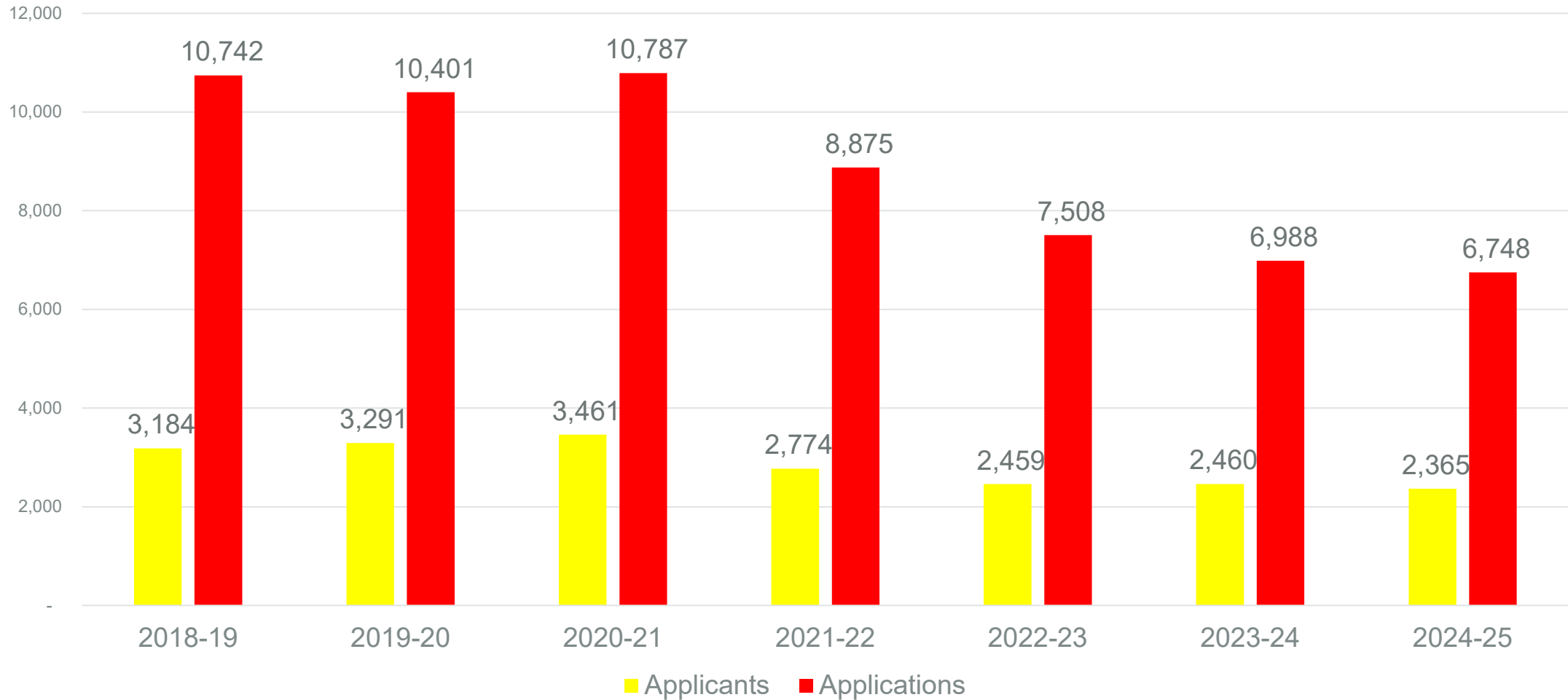
Impacted 200 Institutions - mostly public institution's who have made changes to offices, jobs, training, diversity statements, and other DEI-related activities as the result of bills, executive orders, system mandates, and other state-level actions since January 2023.



<https://www.chronicle.com/article/tracking-higher-eds-dismantling-of-dei>

Admissions

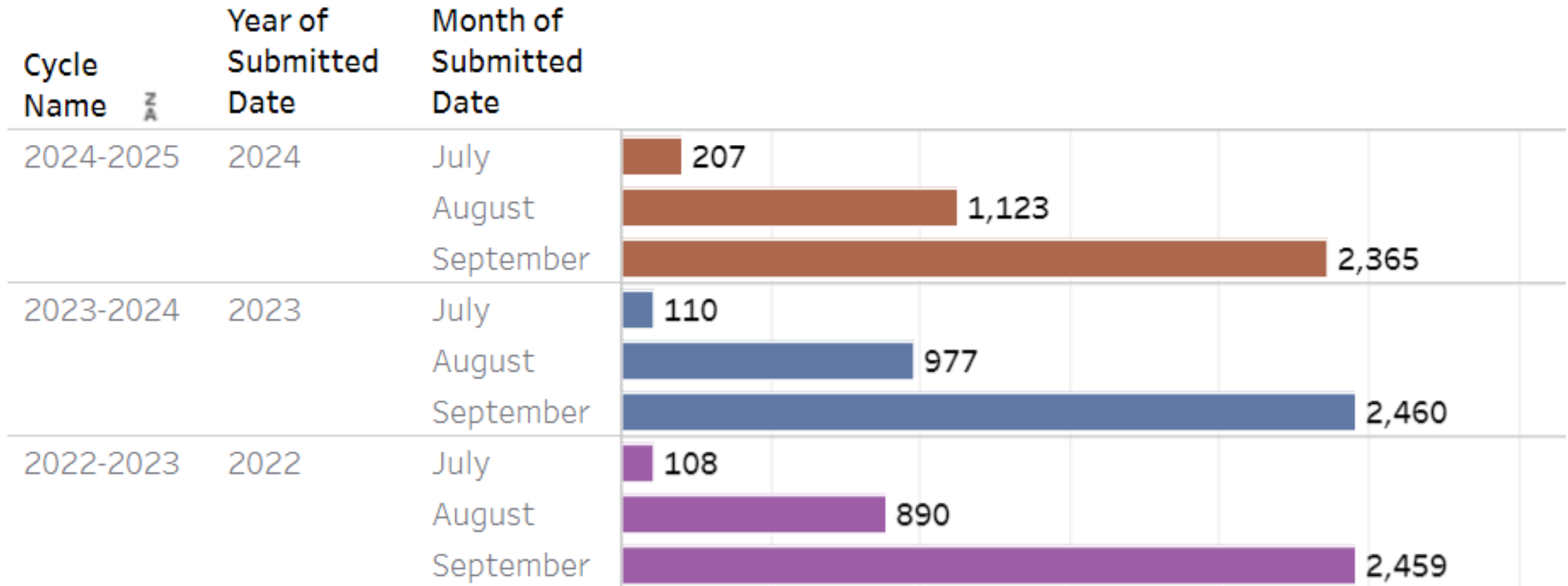
CAS Data – First Quarter



*** Downloaded Friday September 29, 2024 @ 1:30pm



Monthly Cumulative Totals



Trending Headlines

Headlines dominating higher education.



Admissions, Enrollment & Funding

Current Term Enrollment Estimates: Spring 2024

+2.5%

**Undergraduate
Enrollment**

2nd consecutive growth
semester since
pandemic. +359,000

+3.0%

**Graduate
Enrollment**

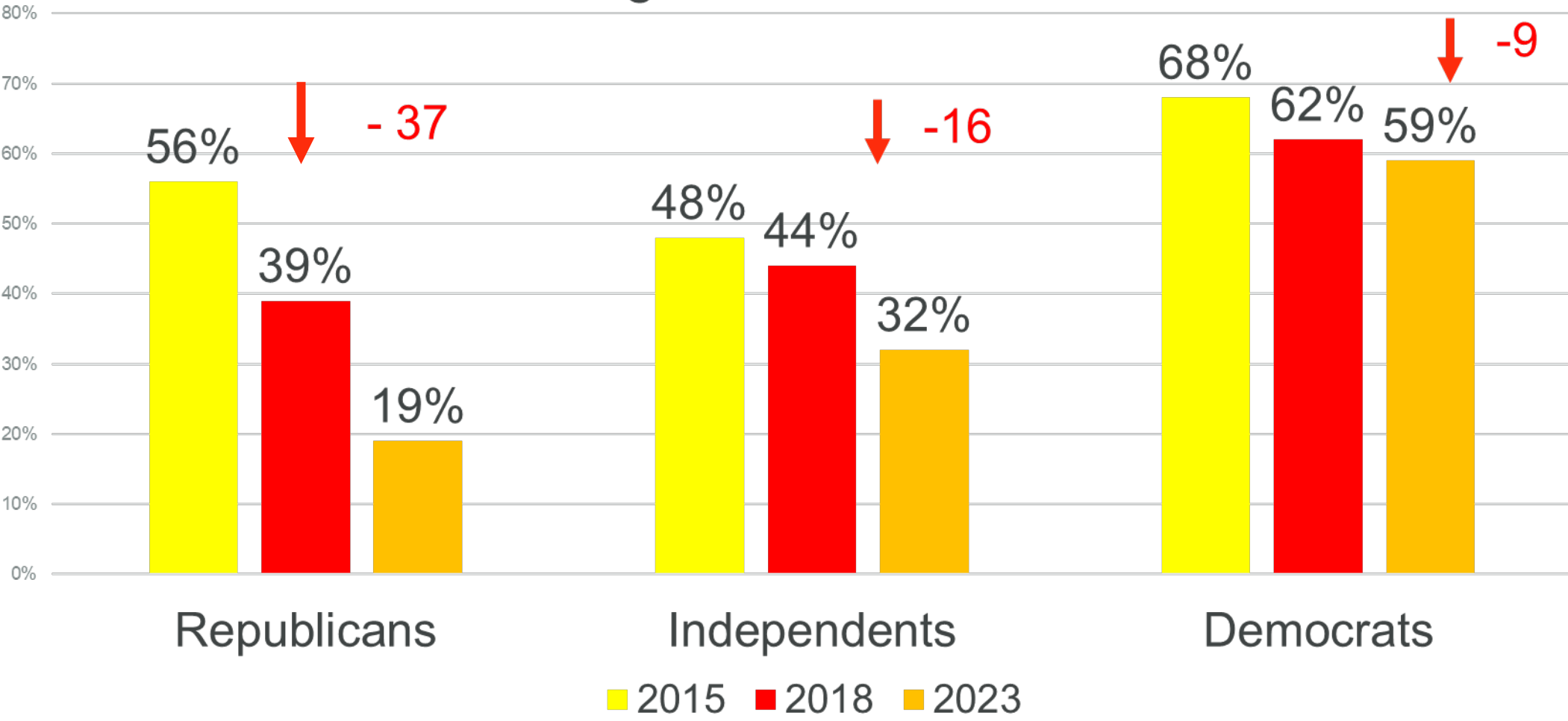
Reversing last year
losses. +88,000

+10.0%

**High School
Students**

Grew a third year in a row .
+100,000

% with "great deal " or "quite a lot" of confidence in higher education.



“Since March of 2020, 64 colleges have closed and many more are at risk of closing. The number of colleges cutting back programs, merging and closing has reached epidemic proportions.”

<https://www.forbes.com/sites/scottwhite/2024/09/20/a-new-model-for-college-diversity--individualized-proxies/>



Regional Publics Struggle Financially

FINANCIAL WORRIES

This Is Why Some Regional Public Colleges Are In So Much Trouble

September 17, 2024

EXODUS

Penn State Offered Buyouts. At This Campus, 40 Percent of Staff Raised Their Hands.

September 12, 2024

INVESTIGATION

How One University's Cost Cutting Became Mired in Confusion and Distrust

August 28, 2024

AUSTERITY ACADEMY

Academic-Program Cuts Piled Up This Summer. Here's a Rundown.

September 5, 2024

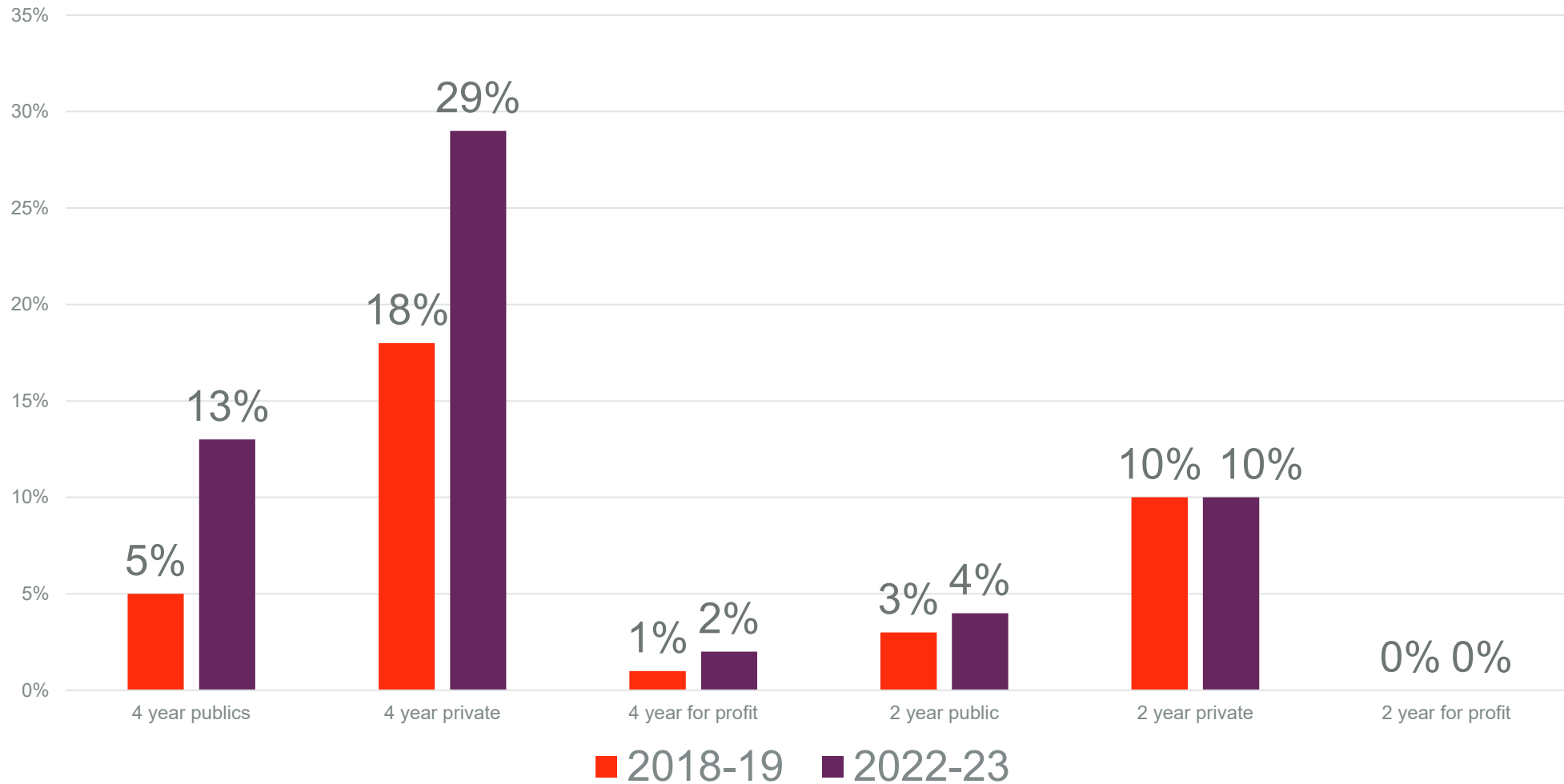
LOOKING BACK

He Transformed a Sinking Public-College System. Here's What He Learned.

Daniel Greenstein's tenure was defined by **merging six campuses into two new institutions.**

Diversity & Access

Colleges where 10% or greater of the student population report a disability



Underrepresented Students- Fall 2024

September 10, 2024

More Selective Colleges Report Diversity Dip

Penn U.: underrepresented minority students declined by two percentage **25 percent to 23 percent.**

Swarthmore: down **four percentage** points from last year.

Haverford reported a **2.4-point drop in Black and Hispanic student enrollment**, as well as a **0.8-percentage-point decline in Asian American enrollment.**

Middlebury reported that **only 26 percent of incoming students were domestic students of color, down from 35 percent last year.**

September 3, 2024

Making Sense of MIT's Diversity Decline

Black students in the entering class dropped from 15 percent to 5 percent, and Latino students from 16 percent to 11 percent. The percentage of Asian American students increased from 40 percent to 47 percent, while the percentage of white students remained steady (37 percent compared with 38 percent a year ago).

September 09, 2024

Brown Sees Steep Drop in Diversity of Incoming Class

Black and Hispanic students in Brown University's incoming Class of 2028 dropped by 10 percentage points since last year, from 29 percent to 19 percent.

Higher Education Workforce

Higher Education Workforce



A survey of 1,210 full-time higher-ed employees found that 16 percent posed a risk of turnover in the next two year

Faculty rate 10%

Non-faculty staff and professionals 19%

Administration and Executive 18%

Top Reasons:

Staff shortages
Stress & burnout
Lack of recognition

<https://www.chronicle.com/article/heres-what-to-know-about-turnover-risks-in-higher-eds-work-force>

2024 Education Summit

Charlotte, NC | November 8–9

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